

2023:PHHC:121510

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-33306-2023

Date of decision: 14.09.2023

Yadwinder Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. A. G. Punjab.

Mr. K.D.Sachdeva, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

1. Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.166 dated 07.06.2023, registered under Sections 193, 420, 120-B IPC and Sections 465, 468, 471 IPC (added later on vide DDR No.16 dated 29.06.2023), at Police Station City Tarn Taran, District Tarn Taran.

2. In pursuance of the order dated 31.08.2023 passed by this Court, the complainant is present in the Court today.

3. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that the complainant is none else but the father-in-law of the daughter of the petitioner; that date of birth of the petitioner's son, namely, Gurniamat Singh, is 01.10.1995, as would decipher from the 5th standard certificate (Annexure P-2) and that the complainant has also got registered FIR No.162 dated 06.06.2023, Police Station City Tarn Taran, against the petitioner and his family members. It

is further submitted that neither the complainant nor the investigating

agency could establish that any of the accused had ever used the certificate showing date of birth of Amrit Singh as 26.01.1996. It is further submitted that both the above-noted FIR got registered by the complainant are the outcome of matrimonial dispute between the daughter of the petitioner and the son of the complainant.

4. On the other hand, learned State counsel and the learned counsel for the complainant, while opposing the grant of bail to the petitioner, submit that the petitioner in connivance with the co-accused had obtained fallacious birth certificate of accused-Amrit Singh.

5. I have heard the learned counsel for the parties.

6. Vide order dated 14.07.2023 passed by this Court, arrest of the petitioner had been stayed.

7. The case is entirely based on documentary evidence. The allegations levelled against the petitioner would be the subject matter of trial. In the opinion of this Court, the petitioner is not required for custodial interrogation and no useful purpose would be served by sending him to custody.

8. Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds merit in this petition and the same is allowed. The petitioner is directed to join investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

9. It is made clear that if pursuant to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the

investigating agency would be at liberty to move an appropriate application
for cancellation of bail.

14.09.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No